

Message Text

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PAGE 01 BAGHDA 00822 030712Z

21

ACTION NEA-10

INFO OCT-01 ISO-00 AF-06 ARA-06 EA-06 EUR-12 CIAE-00

DODE-00 PM-03 H-02 INR-07 L-03 NSAE-00 NSC-05 PA-01

PRS-01 SP-02 SS-15 USIA-06 COME-00 DOTE-00 EB-07

FMC-01 CG-00 OFA-01 DLOS-04 SAB-01 SAM-01 OMB-01

TRSE-00 AID-05 /107 W

----- 058741

P R 030605Z AUG 75

FM USINT BAGHDAD

TO SECSTATE WASHDC PRIORITY 2243

INFO AMEMBASSY ABU DHABI

AMEMBASSY AMMAN

AMEMBASSY BEIRUT

AMEMBASSY CAIRO

AMEMBASSY DAMASCUS

AMEMBASSY DOHA

AMEMBASSY ISLAMABAD

AMEMBASSY JIDDA

AMEMBASSY KUWAIT

AMEMBASSY LONDON

AMEMBASSY MANAMA

AMEMBASSY MOSCOW

AMEMBASSY MUSCAT

AMEMBASSY PARIS

AMEMBASSY SANA

AMEMBASSY TEHRAN

AMEMBASSY TEL AVIV

C O N F I D E N T I A L BAGHDAD 0822

E.O. 11652: GDS

TAGS: PLOS, PFOR, IZ, XF

SUBJ: DRAFT IRAQI DECLARATION ON GULF

REF: BAGHDAD 663

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PAGE 02 BAGHDA 00822 030712Z

1. ON JULY 24 AMBASSADORS OF GULF STATE WERE CALLED TO MFA AND GIVEN GOI DRAFT "DECLARATION ON FREE NAVIGATION IN ARAB GULF AND STRAITS OF HORMUZ" WHICH ALL LITTORAL STATES URGED TO ADHERE TO. FRIENDLY ARAB AMBASSADOR GAVE ME TEXT OF DRAFT AND OUR UNOFFICIAL TRANSLATION FOLLOWS (ORIGINAL TEXT POUCHED NEA/ARN):

2. "THE CONTRACTING PARTIES:

DESIROUS TO PROTECT THEIR VITAL ECONOMIC INTERESTS FOR THE PROSPERITY OF THEIR PEOPLE IN PARTICULAR AND THE PROSPERITY OF THE ENTIRE INTERNATIONAL COMMUNITY; AND WHEREAS SAFE-GUARDING SUCH INTERESTS REQUIRES THE GUARANTEE OF FREE NAVIGATION IN THE AREA DEFINED IN THIS AGREEMENT; HAVE DECIDED ON THE FOLLOWING:

ARTICLE 1

THIS AGREEMENT SHALL BE APPLIED IN THE AREA WHICH INCLUDES:

A)(CHANGEABLE TEXT).....

1. THE PERSIAN GULF IN THE ORIGINAL PERSIAN TEXT OF THE AGREEMENT AND THE ARAB GULF IN THE ORIGINAL ARABIC TEXT.
2. THE GULF- FOR THE PURPOSE OF THIS AGREEMENT MEANS THE PERSIAN GULF OR THE ARAB GULF DEPENDING ON WHICH PARTY REFERS TO IT.

B) THE STRAITS OF HORMUZ WHICH CONNECT THE HIGH SEA IN THE GULF OF OMAN WITH THE HIGH SEA OF THE GULF AS DEFINED IN PARA (A) ABOVE.

ARTICLE 2

1. ALL COMMERICAL VESSELS AND GOVERMENT VESSELS USED FOR COMMERICAL PURPOSES SHALL ENJOY EQUAL NAVIGATION RIGHTS ON ALL MARITINE ROUTES AND PASSES RECOGNIZED INTERNATIONALLY IN THE AREA DEFINED IN ARTICLE 1 OF THIS AGREEMENT.

2. NAVAL VESSALS AND GOVERMENT VESSELS USED FOR OTHER THAN
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PAGE 03 BAGHDA 00822 030712Z

COMMERICAL PURPOSES BELONGING TO THE CONTRACTING PARTIES SHALL ENJOY FREE NAVIGATION AS MENTIONED IN PARA 1 OF THIS ARTICLE.

3. NAVAL VESSELS AND GOVERMENT VESSELS USED FOR OTHER THAN COMMERICAL PURPOSES AND BELONGING TO COUNTRIES NOT HAVING NAVIGATION RIGHTS IN THE AREA DEFINED IN ARTICLE 1 OF THIS AGREEMENT SHALL BE SUBJECT TO THE PROVISIONS OF GENERAL INTERNATIONAL LAW.

ARTICLE 3

VESSELS WHICH ENJOY NAVIGATION RIGHTS OR PRATICE IT AS
STIPULATED IN ARTICLE 2 OF THIS AGREEMENT SHALL:

- A) REFRAIN FROM EXERCISING ANY ACTIVITY WHICH IS NOT
WITHIN THE SCOPE OF NORMAL NAVIGATION PRACTICES.
- B) REFRAIN FROM THE USE OF ANY FORCE OR THREAT AGAINST
REGIONAL SECURITY OR POLITICAL INDEPENDENCE OF A CONTRACTING
COUNTRY WHICH WOULD CONSTITUTE A BREACH OF THE UNITED
NATIONS CHARTER.
- C) ABIDE BY THE LAWS, RULES, REGULATIONS AND PROCEDURES
RECOGNIZED INTERNATIONALLY WHICH PERTAIN TO SECURITY IN
THE SEAS INCLUDING INTERNATIONAL REGULATIONS TO PREVENT
ACCIDENTS AT SEA.
- D) RESPECT MARITIME PASSAGES AS WELL AS MARITIME SEPERATION
LINES FIXED FOR THE SECURITY OF NAVIGATION BY THE CONTRACT-
ING PARTIES.

ARTICLE 4

IN THE ENDEAVOR TO INSURE THE SAFETY OF THE MARITIME ENVIR-
ONMENT AND NAVIGATION IN THE MARITIME ROUTES AND PASSAGES IN
THE AREA, THE CONTRACTING PARTIES GUARANTEE TO CONCLUDE A
SPECIAL AGREEMENT TO REGULATE THE PREVENTION AND CONTROL OF
POLLUTION.

E. COMMENT: PRESUMABLE GOI SOUNDING WITH OTHER LITTORAL STATES
AT ISLAMIC FOREIGN MINISTERS MEETINGS HAVE ENCOURAGED IT TO
PROCEED WITH PLAN FOR COOPERATIVE GULF SECURITY ARRANGEMENTS.
IN VIEW POSSIBLE FAR RANGING SIGNIFICANCE OF EMERGING GULF
GROUPING, REQUEST THAT DEPARTMENT DO TECHNICALLY ACCUATE
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PAGE 04 BAGHDA 00822 030712Z

TRANSLATION OF IRAQI DRAFT AND PROVIDE ADDRESSEES WITH ASSESS-
MENT OF ITS SIGNIFICANCE FOR LOS TREATY AND U.S. INTERESTS.
LOWRIE

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NNN

Message Attributes

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